



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: DIWU *et al.*

Serial No.: 10/661,451

Filed: September 12, 2003

For: **Site-Specific Labeling of Affinity
Tags in Fusion Proteins**

Examiner: Not Yet Assigned

Group Art Unit: 1645

**STATEMENT REGARDING PRIOR
SUBMISSION OF COMPACT DISC**

Commissioner for Patents
U.S. Patent and Trademark Office
Mail Stop Missing Parts
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants filed an Information Disclosure Statement (IDS) and Form-1449 listing various references on December 12, 2003. One of the listed references (C62) was large (in excess of 950 pages), and Applicants opted to submit it as a CD-ROM on compact disc.

Applicants subsequently received a Notice to File Missing Parts dated August 10, 2004. The Notice indicated that the compact disc failed to comply with 37 CFR 1.52(e).

Applicants did not file the compact disc under 37 CFR 1.52(e) (computer program listing, sequence listing, or table in excess of 50 pages), but rather as a legible copy of a publication under 37 CFR 1.98(a)(2)(ii).

Certificate of Express Mailing

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date October 11, 2004

Signature [Handwritten Signature]

Number EV 344776414 US

If the submission of a large cited reference on compact disc as a CD-ROM is unacceptable, then Applicant will re-submit the reference in paper form for the Examiner's consideration.

Applicant respectfully requests that the objections to the application described in the Notice to File Missing Parts be withdrawn

Respectfully submitted,

Date: October 11, 2004

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